PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stuart A. Lipton — Art Unit: 1812
Serial No.: 08/346,910 — Examiner: S. Cermak
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Title : PROTEIN 68075 AND ITS USE FOR REGENERATING NERVE CELL PROCESSES

Commissioner of Patents and Trademarks
Washington, DC 20231

DECLARATION OF DR. RACHAEL NEVE UNDER 37 CFR §1.132

I, RACHAEL NEVE, declare:

1. I am currently an associate professor at Harvard University Medical School and McLean Hospital in the Department of Genetics. From July 1981 to October 1989, I was in the Division of Genetics at Children's Hospital and Harvard University Medical School, first as a Postdoctoral Fellow and later as an Assistant Professor. During this time, I participated in a collaboration with Dr. Stuart Lipton to assist him in isolating the human Thy-1 receptor.

2. I isolated the cDNA clone which I designated TR2B and which I believe has now been deposited with the American Type Culture Collection (ATCC) and been given Accession Number 75949. My first hand knowledge of that clone is as follows. At Dr. Lipton's request, I used anti-THY-1 anti-idiotypic antibodies to probe a human fetal brain cDNA library that I had constructed

Date of Deposit March 20, 1995
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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earlier for other purposes. Specifically, on September 20, 1986, I began an initial screen of the fetal brain λgt11 expression library with a monoclonal antibody raised against the Thy-1 anti-idiotypic antibodies provided by Stuart Lipton. By November 1986, I had obtained and purified a clone (called TR1-3D at that time); I provided that clone to Stuart Lipton. I understand that he deposited TR1-3D with the American Type Culture Collection as ATCC 68075. On January 27, 1987, I began rescreening the same human fetal brain cDNA library with clone TR1-3D, and by February 10, 1987, I had isolated the five clones (the "rescreening clones") designated TR2B, TR5B, TR6B, TR11A, and TR12B. I advised Dr. Lipton of those clones and their characteristics. On May 12, 1990 I sent the rescreening clones including TR2B to Dana Leifer of Dr. Lipton's laboratory.

3. In the time between February of 1987 and May 12, 1990, each of the five rescreening clones remained in its lambda vector and was stored at 4°C in TE buffer in my laboratory. Access to these clones was limited. In October 1989, I moved my laboratory from Children's Hospital to the University of California, Irvine, where I had accepted an assistant professor position in the Department of Psychobiology. For the move, the clones were transported in a refrigerated moving van by personnel from Atlas Van Lines, along with other items from my laboratory requiring refrigeration. Apart from this move, the rescreening clones were stored in my laboratory at UC Irvine at 4°C, as before, until I packaged them and sent them via overnight mail to Dr. Dana Leifer on May 12, 1990.

4. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: 3/13/95

Rachael Neve

Rachael Neve, Ph.D.

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